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August 8, 2018

VIA ECF

Hon. I. Leo Glasser
U.S. District Judge
United States District Court for the
Eastern District of New York
225 Cadman Plaza East
Room 921 South
Brooklyn, NY 11201

Hon. James Orenstein
U.S. Magistrate Judge
United States District Court for the
Eastern District of New York
225 Cadman Plaza East
Room 1227 South
Brooklyn, NY 11201

Re: *Young Advocates for Fair Education v. Andrew Cuomo, et al.*,
EDNY Case No. 18-cv-4167

Your Honor:

I write on behalf of Plaintiff Young Advocates for Fair Education (YAFFED) in response to Defendants' August 3, 2018 letter requesting an extension of time to respond to the Complaint. The parties have continued to confer in connection with discussions for a briefing schedule for a proposed motion for a preliminary injunction that YAFFED intends to file. Because the parties have reached agreement on such briefing and the date by which defendants will file a motion to dismiss, we believe there is no longer a dispute as to the date for a responsive pleading.

Specifically, the parties have agreed to the following:

- Plaintiff will file on August 21, 2018 a motion for a preliminary injunction;
- By October 2, 2018, Defendants will file their opposition to YAFFED's motion for a preliminary injunction and a cross-motion to dismiss;
- By October 16, 2018, YAFFED will file its opposition to defendants' motion to dismiss and its reply in support of its preliminary injunction motion; and

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- By October 26, 2018, Defendants will file their reply in support of their motion to dismiss.
- Defendants also agree not to use plaintiff's agreement to a briefing schedule on the preliminary injunction and to an extension for defendants' motion to dismiss as an argument against a preliminary injunction.

Based on the foregoing agreement, YAFFED respectfully requests that the defendants be given until October 2, 2018 to respond to the Complaint in this action, and that briefing on any motion to dismiss filed by defendants on that date be set according to the agreement above.

Respectfully submitted,

/s/ Eric H. Huang

Eric Hui-chieh Huang

cc: All counsel by ECF
Monica Connell, N.Y. State Office of the Attorney General, by email
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